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MARINE PROTECTED AREAS IN THE MALTESE ISLANDS: STATUS AND PROBLEMS

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At present there are no marine protected areas within Maltese territory. Fishing and/or diving and other marine activities are restricted in certain sea areas round the Maltese Islands; however, this is for reasons of safety, security and to preserve important wrecks and marine archaeological remains rather than for the protection of marine habitats and species, or for management of coastal fisheries. The closest to a marine protected area that the Maltese Islands have is the sea area round the island of Filfla, which is situated some 5km off the southern coast of the island of Malta (Fig.1).

The Filfla Nature Reserve Act, 1988 established the land area of Filfla as a nature reserve with the aim of protecting the flora and fauna on the island. Originally, berthing or navigation of any craft within an area of radius one nautical mile (1.852km) from Filfla, as well as swimming, underwater activities and any activity connected with fishing and trawling were prohibited (Local Notice to Mariners N°16 of 1987) and this sea area thus effectively functioned as a strict nature reserve. However, since 1990 fishing within one nautical mile off Filfla was once again permitted (Government Notice N°173 of 1990).

No other sea area is protected, although a relatively large number of coastal sites are. Two minor islands have been declared nature reserves: Fungus Rock in Dwejra Bay, Gozo (established by Legal Notice N°22 of 1992), and Selmunett Islands, also known as St. Paul Islands, Malta (established by Legal Notice N°25 of 1993); however, on these, it is only terrestrial biota and habitats that are protected.

The Environment Protection Act, 1991 is one of the two main pieces of legislation concerned with nature protection in the Maltese Islands. This legislation empowers the Minister responsible for the environment to issue regulations declaring specified areas of the Maltese Islands and their territorial waters a 'Nature Reserve' and to make regulations for the protection of such areas. To date, the saline marshland at Salina, the saline marshland and dunes at Ghadira in Mellieha Bay, the saline marshlands at is-Simar in St. Pauls Bay and at Il-Ballut in Marsaxlokk Bay, the rocky shore and the wetland at Il-Qawra in Gozo, the Ta' Cenc cliffs also in Gozo, and the whole land area of the island of Comino have been declared nature reserves under this Act (Legal Notice N°144 of 1993). It must be emphasised that 'Nature Reserve' in the context of the Environment Protection Act does not describe a management category such as defined by the IUCN-The World Conservation Union (IUCN, 1994). Of the sites currently designated 'Nature Reserves' most are in reality bird sanctuaries where the shooting and trapping of birds is prohibited. In terms of management, only the islands of Filfla and of Fungus Rock actually function as nature reserves since access is prohibited and the terrestrial biota is strictly protected (Schembri *et al.*, 1999).

In 1993, the Government of Malta requested the assistance of the Regional Activity Centre for Specially Protected Areas (RAC/SPA) of the United Nations Environment Programme's Mediterranean Action Plan in establishing marine protected areas in the Maltese Islands. In 1994 RAC/SPA presented its findings and proposals in two reports, one concerned with scientific aspects (Schembri, 1994) and the other with legal aspects (Scovazzi, 1994). The former report identified 27 separate marine areas as deserving protection because of their relatively pristine ecosystems and/or the representative habitats and biotic communities that they include (Fig.1). An attempt by the Environment Protection Department (the governmental agency concerned with implementing the Environment Protection Act) to start the process of declaring marine nature reserves was

unsuccessful after a committee made up of stakeholders failed to agree on even basic principles. Most opposition was registered from the fishers associations, partly because fishers were concerned that declaring any form of marine protected areas would curtail their activities and partly because of internal disagreements amongst the different fishers associations.

The other piece of local legislation that has an important bearing on nature protection is the Development Planning Act, 1992. This act establishes a Planning Authority to promote and control development in accordance with approved policies and plans. One key responsibility of the Planning Authority is the preparation and periodic revision of a Structure Plan for the Maltese Islands and supplementary planning documents. The Malta Structure Plan formulates a national planning policy and puts forward general proposals in respect of the development and other use of national territory. It has as its basic objective the optimal physical use and development of national territory that respects the environment and at the same time ensures that the basic social needs of the community are satisfied. To date some 29 coastal sites have been scheduled as Areas of Ecological Importance and/or Sites of Scientific Interest in terms of the Development Planning Act. These include saline marshlands and other types of coastal wetlands, sand dunes, and stretches of coastal cliffs and gently sloping rocky shores.

The Malta Structure Plan also contemplates the setting up of Marine Conservation Areas (MCAs) and lists 14 separate areas round the Maltese Islands as candidates for such status (Fig.1). However, the Structure Plan does not define Marine Conservation Areas, neither does it give protection to the candidate MCAs, but simply states that "following further analysis, these and other possible areas will be categorised and given protection according to defined criteria".

While a large number of coastal sites have been protected since the enactment of the Development Planning Act in 1992, not a single marine area has been scheduled. The reasons for this are many. One is simply that the Planning Authority has other more pressing priorities. This is understandable given that the Authority is concerned with development planning and the management of development for the whole of the Republic of Malta, a group of islands with a land area of some 316km², a submerged area (to a depth of 100m) of ca.1940km², a resident population of over 372,000 (giving one of the highest country population densities anywhere in the world), and a tourist population of more than a million arrivals every year.

Another problem is lack of information on the marine environment, and the related problem of lack of funds to enable this information to be gathered. There is a good **general** knowledge of local marine species and habitats, resulting partly from academic research mainly by the University of Malta, and partly from baseline surveys of marine biota, habitats and ecosystems commissioned in connection with coastal zone management issues, including the assessment of the environmental impact of coastal and marine development projects (Anderson & Schembri, 1989; Schembri & Lanfranco, 1989; Borg *et al.*, 1997; Schembri, 1995; Schembri *et al.*, 1999). Locally occurring marine habitats have been characterised using the widely used scheme of Pérès & Picard (1964) and mapped at a large scale. Inventories of marine biota have started being compiled. Rare, scientifically interesting and/or sensitive marine habitats and species have been documented and the key threats to their continued existence have been identified. Recently, key seascapes have also started to be mapped. In spite of this, with two exceptions (the Dwejra candidate MCA in Gozo, and that off St. Georges Bay, Malta), **detailed** studies and small-scale mapping such as are required to establish boundaries for MCAs, and within such areas, for different management zones, have still to be made.

Additional problems have to do with site management and enforcement of legislation. Most existing terrestrial protected areas do not have a management plan and either they are not managed at all or else are 'managed' on an *ad hoc* basis by whoever is in charge of the site at the time (Schembri *et al.*, 1999). In some cases this has led to a number of negative impacts on the habitats and biota within the protected area. Again, for terrestrial protected areas, enforcement of existing regulations is poor due to lack of manpower, training and bureaucratic problems. Under the circumstances, the local agencies concerned with nature protection are reluctant to declare marine conservation areas that would most likely be 'paper reserves' in the absence of the proper infrastructure for management of these sites and for law enforcement.

This is well illustrated by the case of defunct vessels that have been sunk by local divers associations to become 'wrecks' and serve as an attraction for sports divers. To date six such vessels have been sunk, two at the same site. Most have become colonised by a variety of benthic species and are

frequented by demersal fish. However, since there are no restrictions on access and activities, fish and other biota are collected indiscriminately from the wrecks, degrading the biotic communities present, while passing marine traffic poses a danger to divers. The divers associations are now themselves requesting the authorities to establish traffic-free zones and no-fishing zones round the wrecks.

In conclusion, therefore, there are no legal problems in declaring marine conservation areas in Maltese waters and sites with critical or representative habitats, ecosystems and ecological processes that deserve such status have already been identified. However, lack of finances is slowing down the process of gathering sufficient data upon which to base management of such MCAs, while the infrastructure to manage these areas in a manner that ensures that the objectives of the management plans are attained still has to be set up. Some of the problems discussed above are specific to Malta, and result mainly from scale: the Maltese Islands are an island nation with all the needs and concerns that statehood brings with it, with limited land area, with hardly any natural resources and with a limited human resource base. On the other hand, some of these problems are common to all Mediterranean MCAs and in this respect Malta is a representative case study of the situation in the region.

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